ANNUAL REPORT

1999-2000

# JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

GAWESHOUWAITEGO ASGEE WESHOUWEHUN

104-02845/

French and English copies of this report are available from the JBACE secretariat at the following address:

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June 17, 2002

The Hon. André Boisclair
Minister of the Environment
Édifice Marie-Guyart
30$^{e}$ étage, boîte 02
675, boulevard René-Lévesque Est
Québec (Québec) G1R 5V7

Dear Sir:

I am honoured to present the activity report of the James Bay Advisory Committee on the Environment for the year ended March 31, 2000.

Respectfully submitted,

**CLAUDE LANGLOIS**
Chairperson

June 17, 2002

The Hon. David Anderson
Minister of the Environment
Les Terrasses de la Chaudière
10, rue Wellington, 28$^{e}$ étage
Hull (Québec) K1A 0H3

Dear Sir:

I am honoured to present the activity report of the James Bay Advisory Committee on the Environment for the year ended March 31, 2000.

Respectfully submitted,

**CLAUDE LANGLOIS**
Chairperson

June 17, 2002

Mr. Ted Moses
Grand Chief
Grand Council of the Crees (of Québec)
2 Lakeshore Road
Nemaska (Québec) J0Y 3B0

Dear Sir:

I am honoured to present the activity report of the James Bay Advisory Committee on the Environment for the year ended March 31, 2000.

Respectfully submitted,

**CLAUDE LANGLOIS**
Chairperson

# JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

GAWESHOUWAITEGO ASGEE WESHOUWEHUN

## COMMITTEE MANDATE

The James Bay Advisory Committee on the Environment (JBACE) was established in 1978 pursuant to the James Bay and Northern Québec Agreement (JBNQA). It is governed by Section 22 of the JBNQA, by its rules of internal management and by the Environment Quality Act (R.S.Q., c. Q-2). In accordance with section 147 of the Environment Quality Act (EQA), the JBACE must transmit to the Minister of the Environment, before June 30 of each year, a report of its activities for the preceding fiscal year.

The JBACE is the preferential and official forum for the governments of Québec and Canada, the Cree Regional Authority (CRA), the Cree First Nations and the Cree village corporations for the formulation of laws and regulations relating to environmental and social protection in the James Bay territory (the "Territory"). This territory refers to that area of Québec located south of the 55th parallel (excluding the area near Schefferville south of the 55th parallel and west of the 69th meridian), including the Category I and II lands of the Whapmagoostui Crees, and whose southern boundary coincides with the southern limits of the Cree traplines, as defined in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1). Appendix 2 of this report contains a map delimiting the Territory.

The JBACE oversees administration and management of the environmental and social protection regime established by and in accordance with Section 22 of the JBNQA and Chapter II of the EQA. Among other things, this entails making recommendations on:

- the adoption of legislation, regulations and other appropriate measures related to the environmental and social protection regime;
- existing environmental and social laws and regulations relating to the effects of development, as well as existing land use regulations and procedures which may directly affect the rights of Native people established by and in accordance with sections 22 and 24 of the JBNQA;
- environmental and social impact assessment and review mechanisms and procedures for the Territory.

The governments of Québec and Canada, the Cree Regional Authority and the Cree village corporations consult the JBACE on major issues respecting the implementation of the environmental and social protection regime applicable to the Territory, and on land use measures.

The Minister of Natural Resources must submit general and five-year forest management plans for public forests in the Territory to the JBACE, for consideration and comment, before said plans are approved by the Minister (JBNQA, para. 22.3.34; EQA, s. 144).

Upon request, the JBACE also provides the Cree village corporations and First Nations with the information, technical or scientific data, and the advice and technical assistance that it obtains from time to time from the federal or Québec government or a government agency.

Lastly, the JBACE supervises the administration of the Evaluating Committee, also established by Section 22 of the JBNQA (para. 22.5.6).

All decisions and recommendations of the JBACE are forwarded to either the Québec or federal government, the Cree Regional Authority, the Cree village corporations, the bands, the Regional Zone Council or the municipalities for their consultation, consideration and appropriate action, where applicable.

## COMPOSITION

The James Bay Advisory Committee on the Environment is a tripartite body composed of thirteen members. The Cree Regional Authority (CRA), Canada and Québec each appoint four members. The thirteenth member, the chairperson of the Hunting, Fishing and Trapping Coordinating Committee (HFTCC), is ex officio a member of the JBACE, except where he or she is chosen from the members appointed by the Inuit party, in which case the vice-chairperson of the HFTCC serves ex officio as a member of the JBACE.

Each year, Québec, Canada and the Cree Regional Authority alternate in appointing a chairperson and vice-chairperson of the JBACE. In 1999-2000, the chairperson, Diom Romeo Saganash, was appointed by the Cree party.

Ginette Lajoie, appointed by the CRA, was vice-chairperson.

In 1999-2000, the JBACE was composed of the following members:

**Members appointed by the Cree Regional Authority**

Susanne Hilton
General Manager, Waswanipi Cree Model Forest

Willie Iserhoff
Director, Traditional Pursuits

Ginette Lajoie, *Vice-Chairperson*
Environmental Coordinator

Diom Romeo Saganash, *Chairperson*
Director, Government Relations
Grand Council of the Crees (Eeyou Istchee)

**Members appointed by Canada**

Yves Désilets
Indian and Northern Affairs Canada

Claude Langlois
Environment Canada

Jacques Robert *(as of August 24, 1999)*
Natural Resources Canada
Canadian Forest Service

Harm Sloterdijk
Environment Canada

**Members appointed by Québec**

Luc Bouthillier *(resigned July 9, 1999)*
Faculty of Forestry and Geomatics
Université Laval

Marian Fournier *(as of March 29, 2000)*
Ministère des Ressources naturelles du Québec

Carole Garceau *(as of June 16, 1999)*
Ministère de la Famille et de l'Enfance

Jacques Lefebvre
Continuing Education Department
Cégep de Saint-Félicien

Pierre Moses *(as of June 16, 1999)*
Municipality of James Bay

The ex officio member from the Hunting, Fishing and Trapping Coordinating Committee was:

Violet Pachanos

The JBACE would like to thank all of its members for their valuable contribution throughout the year, particularly Luc Bouthillier (Québec), whose mandate ended on July 9, 1999.

## MEETINGS

The JBACE held six regular meetings and ten conference calls between April 1, 1999 and March 31, 2000, on the dates and at the locations indicated below:

| | |
|---|---|
| **110th meeting** | April 1, 1999, Montréal; |
| **111th meeting** | June 1-3, 1999, Waswanipi; |
| **112th meeting** | September 21-23, 1999, Val d'Or; |
| **113th meeting** | November 9, 1999, Montréal; |
| **114th meeting** | December 8, 1999, Montréal; |
| **115th meeting** | February 15, 2000, Montréal. |

In addition to the regular JBACE meetings, the following ad hoc subcommittees met several times during the year: sustainable forest management criteria and indicators working group, NIBI Commission on water management, Directive 019 working group. Their composition appears in Appendix 3 of this report.

# JBACE ACTIVITIES IN 1999-2000

## 1.0 FORESTRY DEVELOPMENT IN THE JAMES BAY TERRITORY

### 1.1 Background

The 1999-2000 fiscal year was marked by the controversy arising from the release of the Richard Desjardins-Robert Monderie film *"l'Erreur boréale."* The film paints a portrait of logging practices in Northern Québec and indirectly demonstrates the importance of the JBACE's role in studying and commenting on forest management plans to ensure compliance with the guiding principles set out in Section 22 of the JBNQA. The film gives concrete expression to the JBACE members' pre-existing view that forestry is without question the greatest contributor to environmental and social disruption in the Territory. Both the public and environmental groups were virtually unanimous in their reaction to the film, calling for a change in the rules governing forestry operations in order to rectify the situation. By contrast, the reaction of the MRN and forest companies was more tempered, tending to be on the defensive. The main forest-related issues dealt with by the JBACE in 1999-2000 are outlined below.

### 1.2 General and five-year forest management plans

Under paragraph 22.3.34 of Section 22 of the JBNQA, the responsible government department must forward management plans for public forests and forestry operations to the JBACE for its consideration and comments. The Committee has 90 days to make its comments known to the department before the Minister approves the plans.

In a letter dated June 28, 1999, the JBACE drew the Minister of Natural Resources' attention to a management problem related to the general plans submitted to the Committee for consideration and comment under paragraph 22.3.34 of the JBNQA. Owing to the current delimitation of forest management units, it is not uncommon for a single trapline to be covered by more than one timber supply and forest management agreement (TSFMA). This makes the JBACE's job of studying and commenting on general forest management plans that much harder, since the Committee sometimes receives plans for the same trapline months apart, making it difficult to establish a clear linkage between the activities planned by two different TSFMA holders for the same trapline and to submit its comments within 90 days. Consequently, it proposed that the 90-day consultation period not begin until all information on the trapline has been received. This is the only way that the JBACE can obtain an overall picture of the situation and determine the impact the planned forestry operations will have on the trapline. The MRN has not confirmed whether or not it will approve the proposed change in the 90-day consultation period.

In addition to the plans themselves, the JBACE receives a number of amendments to general and five-year forest management plans each year. Owing to a lack of resources, however, the Committee generally does not comment on amendments; it only studies them where the TSFMA holder has demonstrated that the amendment is urgent. In 1999-2000, the JBACE studied two amendments to five-year plans: one to the plan for common area 83-87 North affecting the lowlands north of Matagami, and amendment #13 to the plan for common area 26-20, in the sector west and north of Chibougamau. The JBACE unanimously resolved to recommend that the requested amendment for C.A. 83-87 North be denied due to the feared social and environmental consequences for the area concerned. As for amendment #13 for C.A. 26-20, the members noted that the file is incomplete and not properly presented, despite the fact that the secretary had requested additional information. The amendment involved precommercial thinning over a relatively small area, but the documents and maps submitted for consultation did not provide enough information for the JBACE to properly comment on the amendment.

Between November 1999 and March 2000, the JBACE received 13 general and 19 five-year forest management plans for the Agreement Territory. On December 22, 1999, Québec Minister of Natural Resources Jacques Brassard gave the JBACE a cheque for $100 000 to help it study and comment on forest management plans.

To make it easier for the member parties to consult the plans, the JBACE asked the MRN to

supply four copies of all general and five-year plans submitted for its consideration and comment. The MRN complied with this request.

### 1.3 Forestry-related court action and the JBACE

Convinced that forestry operations in the Territory violated the JBNQA, the Grand Council of the Crees instituted legal proceedings in June 1999 against the federal and Québec governments and the logging companies concerned. In November of that year, the GCC's attorneys sent the JBACE a formal demand to keep it from studying and commenting on forest management plans received from the MRN.

The members were divided on the admissibility of forest management plans. The Cree party felt that the plans should be submitted to environmental impact assessment under the JBNQA, while the Québec party, considering the case to be pending before the courts, was against submitting the plans to environmental impact assessment: they felt the Committee should study and comment on the plans in accordance with paragraph 22.3.34 of the JBNQA.

After heated discussions that resulted in an impasse, the JBACE was unable to transmit its comments on forest management plans to the Ministère des Ressources naturelles.

### 1.4 Development of criteria and indicators for five-year forest management plans

In October 1998, the JBACE adopted the *Proposal for the First Approximation of Criteria and Indicators of Sustainable Forest Management for Eeyou Istchee*, which had served to establish the initial set of measures to be incorporated into the general plans for 1999-2024. The JBACE had already announced that it intended to identify other criteria and indicators that were to be built into the five-year plans.

On September 21 and 22, 1999, the JBACE held a C&I workshop in Val d'Or for the purpose of:

- sensitizing participants to the reality of the JBNQA and, more specifically, the guiding principles defined in Section 22;
- identifying criteria and indicators of sustainable forest management to be built into the next generation of five-year forest management plans.

Although very few forest companies and Native people showed up to discuss the relevance of building sustainable forest development indicators into five-year plans, the low turnout was expected owing to the legal proceedings instituted by the Grand Council of the Crees. Despite this setback, the JBACE considers that criteria and indicators should continue to be incorporated into forest management plans, that this is an ongoing process aimed at bringing the plans into line with the guiding principles set out in Section 22 of the JBNQA.

### 1.5 Updating of Québec's forest system

In December 1999, the Minister of Natural Resources intended to table a bill to amend the Forest Act. A parliamentary committee was to hold hearings on the issue in spring 2000, and the JBACE was to be invited to appear before this committee. The JBACE wrote to the Minister of Natural Resources to schedule a meeting to discuss the progress made on the new forest system being developed and to find out what had become of the proposals formulated in the JBACE's brief of January 1999. The JBACE decided to deliberate on the new forest system to be put in place in order to prepare for the parliamentary committee, now planned for fall 2000.

### 1.6 JBACE meeting in Waswanipi

To get in closer touch with the Cree communities in the Territory, the JBACE held one of its meetings in Waswanipi, on June 1-3, 1999. This community is particularly affected by forestry operations.

#### *Waswanipi Cree Model Forest and the Trapline Forestry Project*

At one of its meetings, the JBACE got a chance to hear from Allan Saganash, who heads the Trapline Forestry Project. Mr. Saganash presented the project and answered the members' questions. The members were impressed by his role as intermediary between trappers from Waswanipi and the forest

companies. Mr. Saganash is clearly very involved in the community. Susanne Hilton explained how the Trapline Forestry Project relates to the Waswanipi Cree Model Forest (WCMF), of which she is General Manager. The project aims to ensure that forestry practices have a minimum environmental and social impact.

Nine forest companies operate in the territory of Waswanipi. In 1997, Allan Saganash and Susanne Hilton started studying the companies' forest management plans from the perspective of long-term solutions to forestry problems. The Trapline Forestry Project is financed under Component II of the MRN's Forest Resource Development Program and the WCMF project. It covers 30 of the Territory's 52 traplines.

***Views of a local forestry contractor***

The community of Waswanipi has been involved in forestry development on its lands for some 20 years now. Its goal is to diversify the local economy and create jobs in the forest sector.

At one of its meetings, the JBACE received Peter Gull, a former chief and key player in forestry development at the community level. Mr. Gull helped establish Mishtuk Corporation, a timber supply company of which he is currently president and CEO. He also worked with Domtar to help establish the Nabakatuk sawmill in Waswanipi, which holds a timber supply and forest management agreement (TSFMA) for 100 000 $m^3$ of timber on Category 1A lands.

Waswanipi's forestry expertise began in the 1970s with the creation of a tree-planting cooperative. In 1982, following the establishment of Mishtuk, workers from the community began supplying non-Native sawmills in the region. However, faced with the growing timber demand and fearing a decline in the resource, the community tried in vain to establish its own sawmill.

The new Forest Act and a TSFMA-oriented regime in the early 1990s paved the way for a partnership with Domtar and the resulting construction of the Nabakatuk sawmill on Category 1A land north of Waswanipi. In addition to the TSFMA mentioned above, the company received a permit to harvest 60 000 $m^3$ of timber on Category I lands in order to supply the mill. This venture provides jobs for 45 people from the community over two work shifts.

Mishtuk's and Nabakatuk's environmental protection standards were the subject of debate. Hunters from the community pressured the companies to protect riparian and wooded areas that provide moose habitat. With the creation of the Waswanipi Cree Model Forest in 1997, Cree forestry contractors began implementing management strategies that balanced environmental and profitability considerations.

### *Domtar consultation procedure*

On June 2, 1999, the JBACE members had the opportunity to visit a trapline. They were accompanied by Louis Bélanger, Professor in Université Laval's Faculty of Forestry and Geomatics and a partner in the Model Forest project, trappers Frank and Harry Blacksmith, Amélie Dorion and Bernard Senécal, of Domtar, Martin Pelletier, a research student at Université Laval, Jacques Robert, of the Canadian Forest Service, and Allan Saganash, of the Trapline Forestry Project.

The purpose of the visit was twofold. First, the JBACE wanted to get an idea of how negotiations unfold when a trapper asks the forest company to protect areas slated for logging. By visiting an actual trapline for which such a request had been made, the JBACE members were able to meet with the trapper and the TSFMA holder, both separately and together, to obtain their respective views. Trying to balance the objectives of both parties can be difficult. Whereas forest companies tend to focus on economic considerations, trappers place greater importance on other values, such as wildlife. It is not always easy to reach a consensus.

The second goal of the visit was to see sites where Domtar's logging operations had posed a problem. The company's forestry practices, construction of logging roads and reforestation techniques were discussed.

The members found the Domtar representatives to be open-minded and spontaneous in their explanations of how they negotiate with the tallyman and how they have to consider the profitability of their logging operations when amending the forest management plan to suit the trapper's wishes. And the tallyman explained very clearly his reasons for asking that certain areas be protected and said that he ends up compromising as well.

The members were happy to have the chance to learn more about the dynamics of negotiations between trappers and forest companies, and they thanked everyone involved in the visit, which was highly appreciated.

At the JBACE's 111th meeting, a doctoral student presented the preliminary results of his research project on the development of a collaborative learning process for Native people and the forest industry. The goal is to develop a process for working together in the industry. This type of collaborative learning process has never been applied in Canada, although it has been experimented with Native peoples in Africa and Australia. The project fits in well with the concept of public participation, which the JBACE considers to be one of the fundamental guiding principles of Section 22 of the JBNQA.

## 2.0 MISCELLANEOUS

### 2.1 Consultation on Directive 019 (mining industry)

On February 23, 1999, the Ministère de l'Environnement du Québec submitted to the JBACE for consultation the revised Directive 019 on the mining industry. This issue is complex and critical given the fact that there are numerous mining projects in the Territory. The JBACE formed a working group to draft a brief on the orientations the new directive should take to be consistent with Section 22 of the JBNQA. (see Appendix 3 for the list of working group participants). The brief was adopted by the JBACE and transmitted to the Ministère de l'Environnement on June 18, 1999. MENV adopted a proactive approach with regard to Directive 019, submitting the proposed directive to the JBACE before sending it to the other government departments. In doing so, it satisfied some of the fundamental expectations of the JBNQA, and this gesture did not go unnoticed by the JBACE. Below are the principal recommendations made by the Committee:

- That the Ministère de l'Environnement adopt a regulation rather than guidelines to manage mining waste. A regulation would put all mining operations on equal footing, thereby ensuring economic as well as social and environmental justice.

- That certificates of authorization issued by the Ministère de l'Environnement require the holder to submit an annual follow-up report containing relevant data on the status and state of mine sites.

- That the guidelines or regulation be adapted to the Territory and the JBNQA. To that end, the JBACE recommends

working in conjunction with the Evaluating Committee (COMEV), the Review Committee (COMEX) and the federal Review Panel (COFEX) to draft model guidelines for environmental assessment of mining projects in the Territory.

- Considering the potential long-terms impacts of pollution from mining industries, that the scope of environmental impact statements, where required, be strengthened to allow for the establishment of discharge targets for each mine site as well as environmental monitoring measures that exceed the guideline requirements.

- That the federal and provincial mining waste control processes be harmonized in close cooperation with the JBACE.

- That Québec consider environmental follow-up studies as complementary to its program rather than as a duplication.

In its work on Directive 019, the Committee stressed the need to ensure that government laws, regulations, policies, programs and plans affecting the Territory, Native people and wildlife resources are adapted to the Territory and respect the guiding principles set out in the JBNQA. Four aspects are particularly important in this regard: regulations that apply to all mine sites (existing and new), harmonized federal and provincial regulations, mandatory environmental follow-up, and establishment of special guidelines for environmental assessment of all new projects in the Territory. These guidelines must cover both environmental and social impacts.

### 2.2 Consultation on water management

On October 29, 1998, Environment Minister Paul Bégin launched an extensive province-wide consultation on water management in Québec. On November 11, 1999, the JBACE and the BAPE commission on water management signed a protocol on the terms of collaboration for the joint public hearings to be held in the James Bay territory. For the purposes of these hearings, the JBACE formed the three-member NIBI Commission composed of one representative of each party on the JBACE. It was agreed that the parties would act as independent, non-partisan bodies, in accordance with the EQA and JBNQA. All hearings were held jointly by the BAPE and NIBI commissions. The JBACE appointed Diom Romeo Saganash, as CRA representative, to chair the NIBI Commission. Mr. Saganash co-chaired the hearings in the James Bay territory with André Beauchamp, chair of the BAPE commission. Jacques Lefebvre and Harm Sloterdijk represented Québec and Canada, respectively.

In general, the protocol signed between the JBACE and the BAPE commission set forth the principles of cooperation between the two commissions and the provisions relating to the creation and operation of the NIBI Commission, the date of the hearings in the Territory, the hearing procedure, special involvement for the Crees, hearing-related documents, the purpose of the hearings, the joint report and administration.

With a view to enhancing participation by the Cree communities, the JBACE secretary wrote to the local environment administrators to inform them on the different phases of the hearings and ask whether they would be interested in submitting a brief either in the Territory or in Montréal or Québec City.
Hearings were held in the following three communities: Oujé-Bougoumou (Sept. 15, 1999), Chisasibi (Sept. 16, 1999) and Whapmagoostui (Sept. 17, 1999). Specialists from various government departments and agencies were on hand to answer participants' questions during the first part of the hearings, which was intended to provide information. Local authorities had delegated representatives to express local concerns regarding all aspects of the water issue: drinking water, wastewater, bottled water, hydroelectric facilities, river diversions, the effects of forestry operations on water, watercourse crossings, etc. A regional water portrait had been prepared by the Ministère de l'Environnnement.

The hearing schedule was not ideal, as it coincided with the hunting season. While this meant a lower participation rate, dozens of people still took part in the hearings in each of the communities. The event was well organized, and the BAPE had hired local translators. Local authorities said that they appreciated the hearing.

The members of the NIBI Commission noted that water was a prime concern for all three

communities. In fact, links were established between the health problems suffered by the Crees and the changes to their traditional way of life over the years. Aspects raised include dam safety, changes in caribou migration routes and the number of caribou that have drowned in lakes and streams. Several Elders took the floor to express their opinions on water, their traditional pursuits, which are difficult to maintain, etc. The second part of the hearings (submission of briefs) was held in Radisson on October 13-14, 1999. The Crees submitted two briefs, one to each of the BAPE and NIBI commissions, in Montréal on December 1, 1999.

In January 2000, the BAPE commission submitted the preliminary version of Section 4.2 of its report, which dealt with the Native communities of the James Bay and Nunavik regions. On reading the report, JBACE members noted that the BAPE had touched on most of the technical problems (drinking water, wastewater) raised during the hearings in the northern communities. Problems of a more general or political nature, such as active participation of the Crees in water management or the climate of trust between the government and the Crees, were raised in the briefs, but scarcely addressed in the preliminary version of the report. In the JBACE's opinion, water management in the Territory must be seen holistically and not compartmentally, as is currently the case.

The members noted a number of shortcomings in the report's recommendations. The JBACE informed the BAPE of the various aspects of the issue and of the key recommendations that it would like to see in the joint report.

The JBACE decided to write its own report on water management. The secretary made arrangements to ensure that the balance of the $47 500 subsidy granted to the JBACE for the water management file would be available after March 31, 2000, notably for hiring its own analyst. This issue will therefore remain on the agenda during the coming fiscal year.

### 2.3 Bill to amend the Environment Quality Act and other legislative provisions regarding the management of residual materials

In fall 1999, the Ministère de l'Environnement du Québec invited the JBACE to comment on the Bill to amend the Environment Quality Act. The JBACE was unable to submit its comments within the prescribed time period. The Bill was passed in December 1999. Since the JBACE had major concerns with regard to the proposed legislation, it decided to raise them in a new brief that will be submitted to the Minister of the Environment in the coming fiscal year.

## 3.0 HUMAN AND FINANCIAL RESOURCES AND JBACE OPERATIONS

### 3.1 Secretariat

The JBACE secretariat is located in the offices of the Ministère de l'Environnement du Québec. Under an administrative agreement between the JBACE and MENV, the latter makes human and material resources available to the Committee.

In 1999-2000, the JBACE's executive secretary was Denis Bernatchez. The executive secretary of the Evaluating Committee (COMEV) was Michael O'Neill, who also served as executive secretary of the Review Committee (COMEX). Secretarial duties were performed by Diane Dussault, who divided her time between the JBACE, COMEV and COMEX.

It is important to note that in accordance with the JBNQA and the Environment Quality Act, the JBACE provides the Evaluating Committee with the necessary secretariat services.

### 3.2 Funding

The secretariat is funded by the Québec government, which is reimbursed for the equivalent of 50% of its expenditures by the Government of Canada under paragraph 22.3.19 of the JBNQA and the second paragraph of section 174 of the Environment Quality Act. In 1987, the terms governing funding of the secretariat were established under an agreement between the governments of Canada and Québec.

Expenditures related to the JBACE secretariat for the fiscal year ended March 31, 2000 are shown in Table 1. It should be noted that these expenditures include expenses incurred by the Evaluating Committee under section 150 of the Environment Quality Act.

The JBACE received a subsidy in the amount of $100 000 from the MRN to study and comment

on forest management plans. To determine the best way to use this money, the Committee asked the criteria and indicators working group to prepare a description of the mandate involved. This work will continue during the coming fiscal year.

A subsidy of $47 500 was received from MENV to enable the JBACE to participate in the public consultation on water management. Of that amount, $16 878 was used to pay the members' travelling expenses.

Lastly, a $30 000 subsidy granted to the JBACE to participate in the joint forestry action plan during the 1998-1999 fiscal year was not utilized.

## TABLE 1: SUMMARY STATEMENT OF JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT AND EVALUATING COMMITTEE EXPENDITURES FOR THE FISCAL YEAR ENDed MARCH 31, 2000

| | |
|---|---|
| - Salaries (wages and fringe benefits) for secretariat staff | $105 512.00 |
| - Travelling expenses | 5 970.85 |
| - Translation | 13 522.14 |
| - Office space | 16 815.00 |
| - Telecommunications | 2 062.55 |
| - Printing and photocopying | 1 906.31 |
| - Legal advisor | 2 000.00 |
| **TOTAL:** | **$147 788.85** |
| - Administrative expenses of 5% | 7 389.44 |
| - **GRAND TOTAL** | **$155 178.29** |

**Note**: In addition to its operating budget, the JBACE has a bank account in which one-time subsidies for special projects are deposited.

| | |
|---|---|
| Cash on hand at April 1, 1999 | $14 058 |
| Miscellaneous expenditures during the year: | 6 831 |
| Balance at March 31, 2000: | $ 7 227 |

**Subsidies:**

| From | Purpose | Date received | Amount received | Amount spent | Balance |
|---|---|---|---|---|---|
| MENV | Water management | 14-09-99 | $47 500 | $16 878 | $30 622 |
| MRN | Forestry | 22-12-99 | $100 000 | $0 | $100 000 |
| MRN | Forestry | 18-03-98 | $30 000 | $0 | $30 000 |

## APPENDIX 1

## LEGISLATIVE PROVISIONS GOVERNING ENVIRONMENTAL AND SOCIAL PROTECTION IN THE JAMES BAY TERRITORY

Environment Quality Act (R.S.Q., c. Q-2), sections 131 to 167, 205 to 214 and schedules A and B;

Regulation respecting certain bodies for the protection of the environment and social milieu of the territory of James Bay and Northern Quebec [O.C. 433-79, 14 February 1979, Environment Quality Act (1972, c. 49. s. 124 and 240 a and b)];

Regulation respecting the environmental and social impact assessment and review procedure applicable to the territory of James Bay and Northern Québec [O.C. 3452-79, Environment Quality Act (R.S.Q., c. Q-2)];

Rules of internal management of the James Bay Advisory Committee on the Environment [c. Q-2, r. 21, Environment Quality Act (R.S.Q., c. Q-2, s. 140)];

James Bay and Northern Quebec Native Claims Settlement Act (S.C. 1976-1979, c. 32);

Environmental Assessment and Review Process Guidelines Order (P.C. 1984-2132, 21 June 1984).

## APPENDIX 2

## MAP OF THE TERRITORY COVERED BY THE REGIME

## APPENDIX 3

### LIST OF SUBCOMMITTEE AND WORKING GROUP MEMBERS

Members of the **NIBI Commission on water management:**

Jacques Lefebvre, (Québec)
Carole Garceau (Québec)
Diom Romeo Saganash, (CRA)
Harm Sloterdijk, (Canada)
Denis Bernatchez, Executive Secretary

Members of the sustainable forest management **criteria and indicators working group**:

Marian Fournier, (Québec)
Jacques Lefebvre, (Québec)
Jacques Robert, (Canada)
Susanne Hilton, (CRA)
Denis Bernatchez, Executive Secretary

Members of the **Directive 019 working group**:

Claude Langlois, (Canada)
Alan Penn, (CRA)
Denis Bernatchez, Executive Secretary

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